

REMARKS

Claims 1-35 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-29, drawn to a biodegradable copolymer; and

Group II, claims 30-35, drawn to a method of delivering a nucleic acid molecule to a cell.

**For the purpose of examination of the present application, Applicants elect, without traverse, Group I, Claims 1-29.**

Applicants note that the claims of Group II, claims 30-35, represent a method of use of the composition elected for examination. Applicants submit that, should subject matter within the claims of Group I be found allowable, claims of Group II commensurate in scope with the subject matter found allowable should be rejoined to the present application and allowed. MPEP § 821.04.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Registration No 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: September 20, 2006

Respectfully submitted,

By 

Mark J. Nuell

Registration No.: 36,623

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant